

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

U.S. DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

27611/35364

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/622816

INTERNATIONAL APPLICATION NO.
PCT/US99/03805INTERNATIONAL FILING DATE
22 February 1999PRIORITY DATE CLAIMED
24 February 1998

TITLE OF INVENTION

LIPID EMULSIONS IN THE TREATMENT OF SYSTEMIC POISONING

RECEIVED

APPLICANT(S) FOR DO/EO/US

WEINBERG, Guy and HERTZ, Paul

MAR 1 2 2002

TECH CENTER 1000/2900

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Small Entity Claim Form - Non-Profit Organization

U.S. APPLICATION NO. (IF KNOWN, S. 37)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/622816		PCT/US99/03805		27611/35364	

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00
- ☒ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	47 - 20 =	27	x \$18.00		\$486.00
Independent claims	4 - 3 =	1	x \$78.00		\$78.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$260.00
TOTAL OF ABOVE CALCULATIONS =					\$1,624.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable) ☒ \$812.00

SUBTOTAL = \$812.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). \$0.00

TOTAL NATIONAL FEE = \$812.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable) ☐ \$0.00

TOTAL FEES ENCLOSED = \$812.00

	Amount to be:	
	refunded	\$
	charged	\$

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TECH CENTER 1600/2900

☒ A check in the amount of **\$812.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **13-2855** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

David W. Clough
MARSHALL, O'TOOLE, GERSTEIN, MURRAY & BORUN
 6300 Sears Tower
 233 S. Wacker Drive
 Chicago, Illinois 60606
 United States of America

SIGNATURE

David W. Clough

NAME

36,107

REGISTRATION NUMBER

August 23, 2000

DATE

09/622816

Attorney Docket No.: 27611/35364

534 Rec'd PCT/PTO 23 AUG 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WEINBERG, <i>et al.</i>)	Title: LIPID EMULSION IN THE
)	TREATMENT SYSTEMIC
)	POISONING
International Application No.: PCT/US99/03805)	
)	Group Art Unit: To be assigned
Filed: Herewith)	
)	Examiner: To be assigned
)	

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify the attached items are being deposited with the United States Postal Service on August 23, 2000 in an envelope addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing No. EK657821089US.

- a. A check in the amount of \$812.00;
- b. Transmittal letter to the United States Designated /Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371 with enclosures;
- c. Copy of International Application as originally filed (including Request);
- d. Copy of International Search Report;

- e. Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1.27 (d)) — Nonprofit Organization.

Laura Frasher
Laura Frasher

Dated: August 23, 2000